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July 1, 2022

VIA ECF

The Honorable Analisa Torres, U.S.D.J.
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007
Email: Torres_NYSDChambers@nysd.uscourts.gov

Re: *Sherry Grimes-Jenkins v. Consolidated Edison of New York, Inc.*
Civil Action No. 16-cv-04897(AT)(RWL)
Related Case: *Sherry Grimes-Jenkins v. Consolidated Edison Company of New York, Inc. & Sean Green*; Civil Action No. 18-cv-01545(AT)(RWL)

Dear Judge Torres:

This firm represents Defendant Consolidated Edison Company of New York, Inc. ("Con Edison") in the above-referenced action. Together with Plaintiff's counsel, we write to update the Court on the status of mediation proceedings pursuant to the Court's Order on June 15, 2022. (ECF No. 138.)


As stated in Plaintiff's submission dated March 1, 2022 (ECF No. 137), the parties have diligently pursued resolution of this action through a private mediation before trial. Those efforts, however, were reasonably delayed due to the deteriorating health of opposing counsel's wife and his resulting unavailability. (See ECF No. 137.) Since the Plaintiff's last submission, opposing counsel has informed Con Edison's counsel that his wife's health has improved and he has otherwise returned to the office as of June 2022. Opposing counsel's return to the office has permitted the parties to again confer regarding mediation proceedings and discuss potential mediation dates based on the current availability of the parties, counsel, and a mutually acceptable mediator. The parties have now agreed to a mutually acceptable mediator, negotiated the terms of a mediation, and scheduled a mediation for October 26, 2022.

Allowing for the possibility the mediation does not succeed, and to preserve litigation expenses related to the parties' Joint Pretrial Order ("JPTO") and pre-trial submissions in advance of mediation as well as assist with potential resolution of this action, the parties request an extension of the parties' JPTO and related pre-trial submissions deadline from July 1, 2022 to December 14, 2022, with any objections or oppositions to follow on December 21, 2022. The parties will notify the Court as to the status of their mediation within three days of the proceedings. Consistent with the Court's June 15, 2022 Order, the parties will also submit blackout dates for trial on August 1, 2022. (ECF No. 138.)

GRANTED. By **December 1, 2022**, the parties shall provide blackout dates for the first three calendar quarters of 2023, and the Court shall schedule a trial date accordingly.

SO ORDERED.

Dated: July 6, 2022
New York, New York



ANALISA TORRES
United States District Judge